

**ZB# 02-53**

**Joseph Cacciola**

**75-7-15**

Kellen,  
Sept. 23, 2002.  
OK pm 7/23  
Need Photos =  
inside/outside

ZBA  
**APPROVED**  
6/2/2003

#02-53-Cacciola, Jos.

Interp./Use

75-7-15.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

FILE # 02-53 TYPE: AREA \_\_\_\_\_ USE Int

APPLICANT: Celeste Cacciola  
352 Shelly Rd  
New Windsor, NY 12553  
 TELE: 561-5242

RESIDENTIAL: \$ 50.00 CHECK # \_\_\_\_\_  
 COMMERCIAL: \$150.00 CHECK # \_\_\_\_\_  
 INTERPRETATION: \$150.00 CHECK # \_\_\_\_\_  
 ESCROW: ~~\$500.00~~ <sup>300.00</sup> CHECK # \_\_\_\_\_

DISBURSEMENTS:

	MINUTES <u>\$4.50 PER PAGE</u>	ATTORNEY FEES <u>\$35.00 / MEETING</u>
PRELIM..... <u>9/23</u> .....\$	<u>13.50</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIM.....	_____	_____
3 <sup>RD</sup> PRELIM.....	_____	_____
PUB HEARING.... <u>4/10/03</u> ....	<u>9.00</u>	<u>35.00</u>
PUB HEARING (CON'T)...	_____	_____
TOTAL	\$ <u>22.50</u>	\$ <u>70.00</u>

OTHER CHARGES:..... \$ \_\_\_\_\_

• • • • •

ESCROW POSTED: \$ 300.00  
 AMOUNT DUE: \$ \_\_\_\_\_  
 REFUND DUE: \$ 207.00

6/9/03  
L.R.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## OFFICE OF THE ZONING BOARD OF APPEALS

June 24, 2003

Mr. & Mrs. Joseph Cacciola  
352 Shelly Road  
New Windsor, NY 12553

SUBJECT: VARIANCE #02-53

Dear Mr. & Mrs. Cacciola:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

\_\_\_\_\_  
Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

*Sent 6/24/03*

OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

*Prelim:*  
Sept. 23, 2002  
#02-53

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845)563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: September 3, 2002

APPLICANT: JOSEPH & CELESTE CACCIOLA  
352 SHELLY ROAD  
NEW WINDSOR, NY 12553

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 8/29/02

FOR : CONVERSION OF GARAGE TO LIVING SPACE WITH SECOND KITCHEN

LOCATED AT : 352 SHELLY ROAD

ZONE: R-4 SEC/BLK/LOT: 75-7-15

DESCRIPTION OF EXISTING SITE: SINGLE FAMILY/ TWO FAMILY

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. REQUEST FOR INTERPRETATION. 48-12 USE/BULK TABLES R-4 ZONE SINGLE FAMILY DWELLING PERMITTED, TWO FAMILY IS NOT PERMITTED. GARAGE WAS CONVERTED TO LIVING SPACE WITH A KITCHEN. REQUEST FOR INTERPRETATION IS BUILDING A SINGLE FAMILY OR TWO FAMILY DWELLING.

*Louis J. Lynch*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4      USE: SINGLE FAMILY / TWO FAMILY      INTERPRETATION REQUIRED

MIN. LOT AREA:

MIN LOT WIDTH:

REQ=D.. FRONT YD:

REQ=D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ=D REAR YD:

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

APPROVED

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

*Low*

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reworked and inspected.

RECEIVED

AUG 29 2002

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 2002-973

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

*A* Owner of Premises Joseph & Celeste Cacciola

*A* Address 352 Shelly Rd Phone # 561-5242

*A* Mailing Address 352 Shelly Rd Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 75 Block 7 Lot 15

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? No

Existing  
Alteration  
→ Converted into  
Garage  
into living  
space  
w/ Kitchen.

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$50.00

**ZONING BOARD**

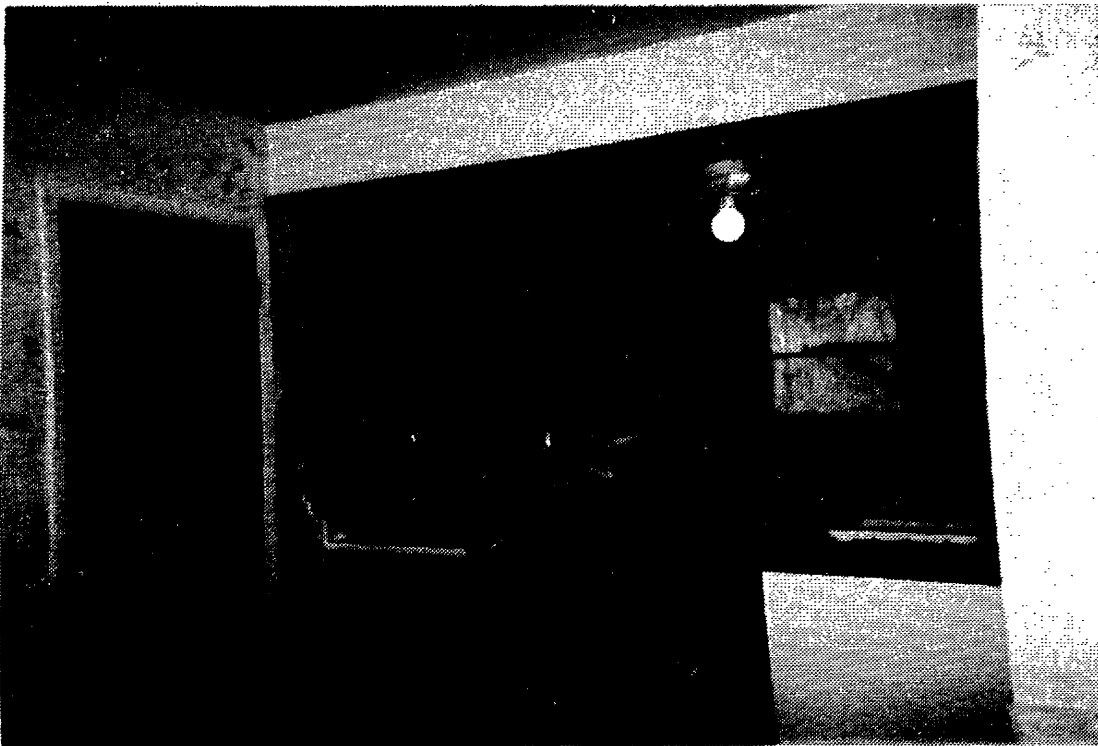
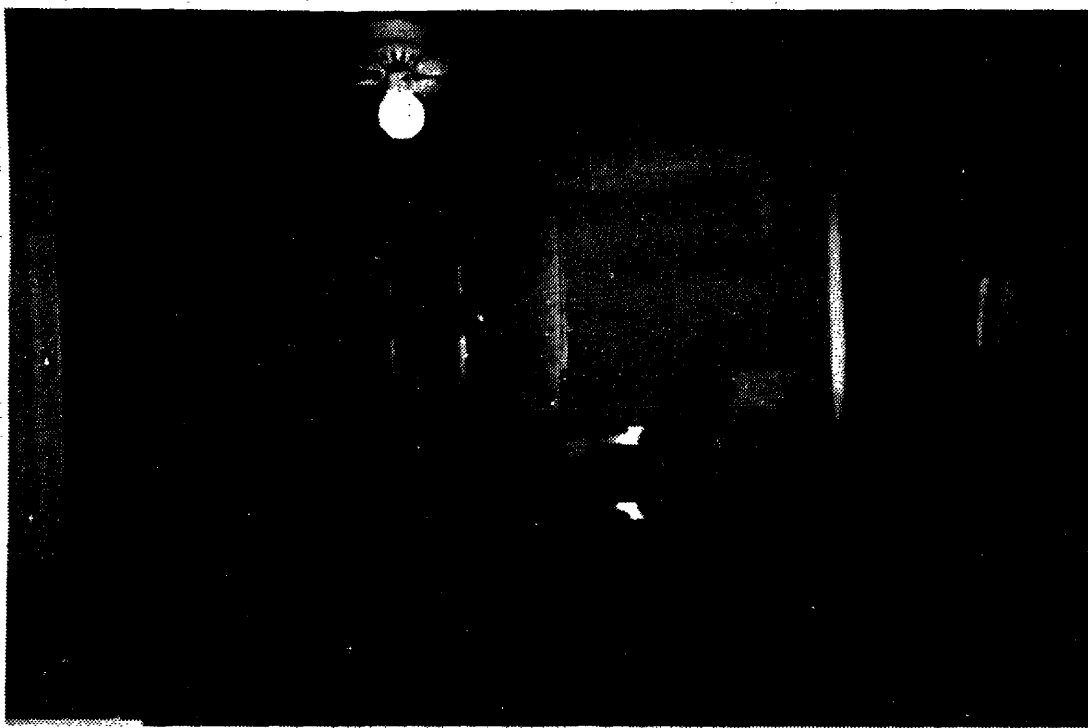
**PAID**

Cash

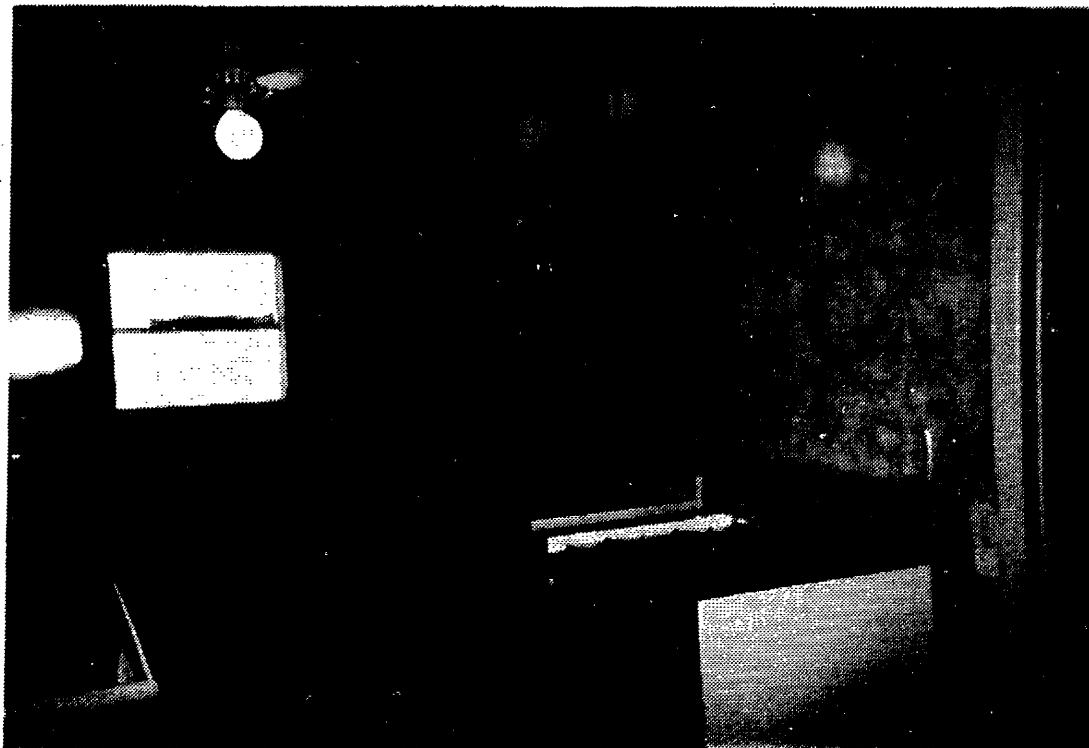
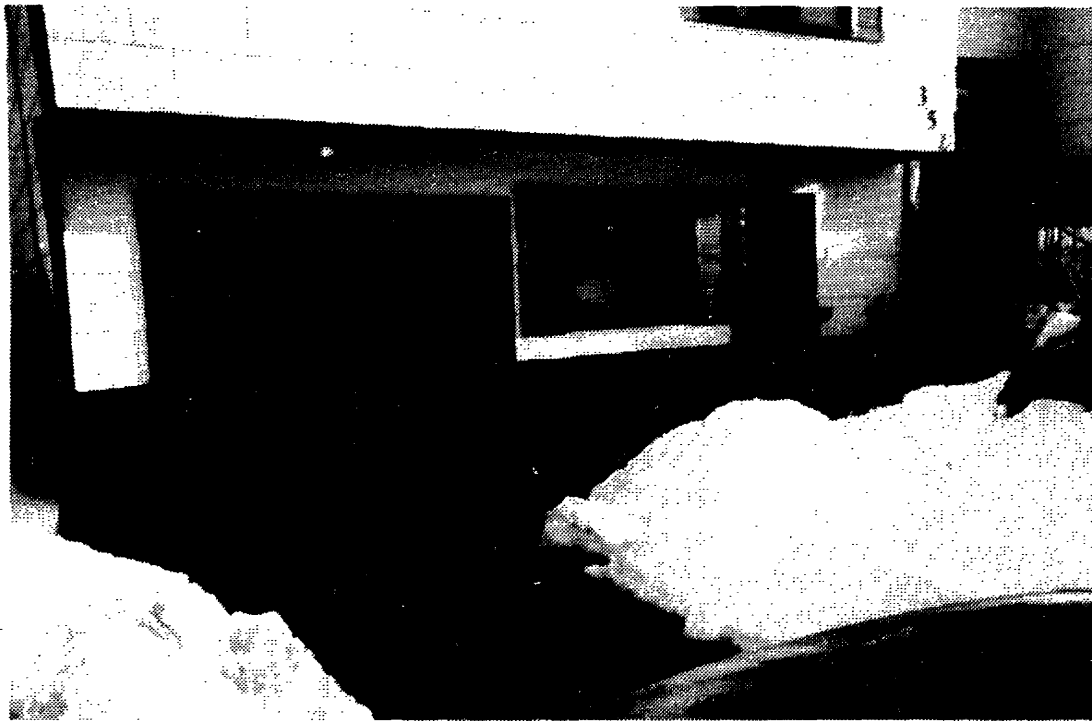


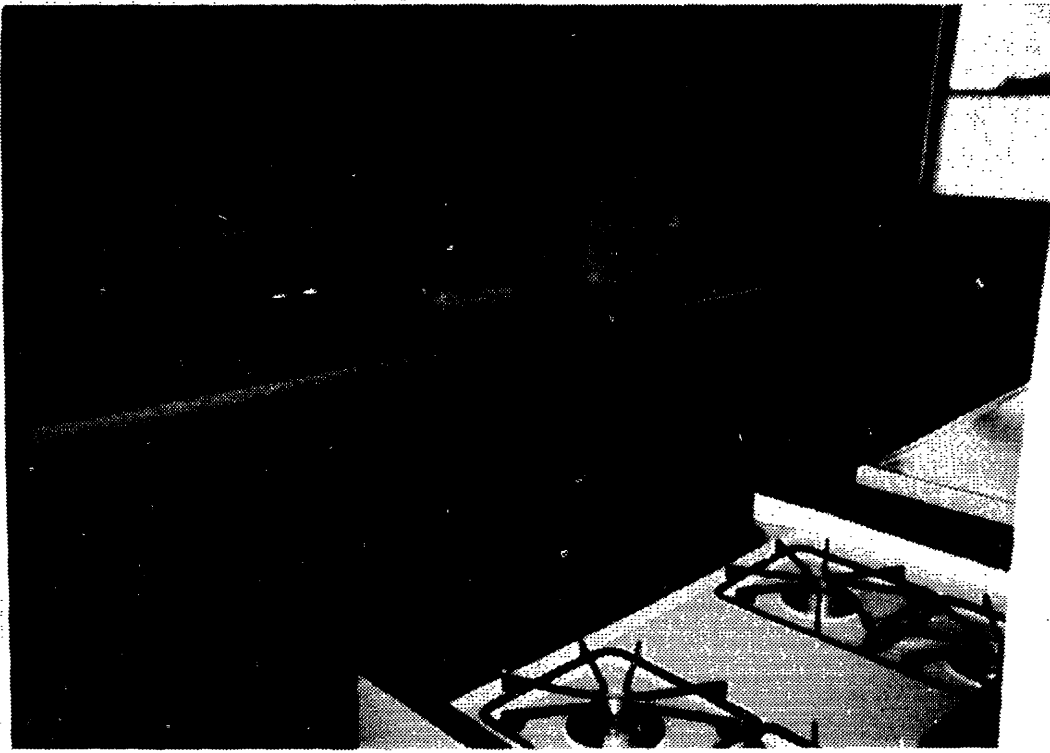
32

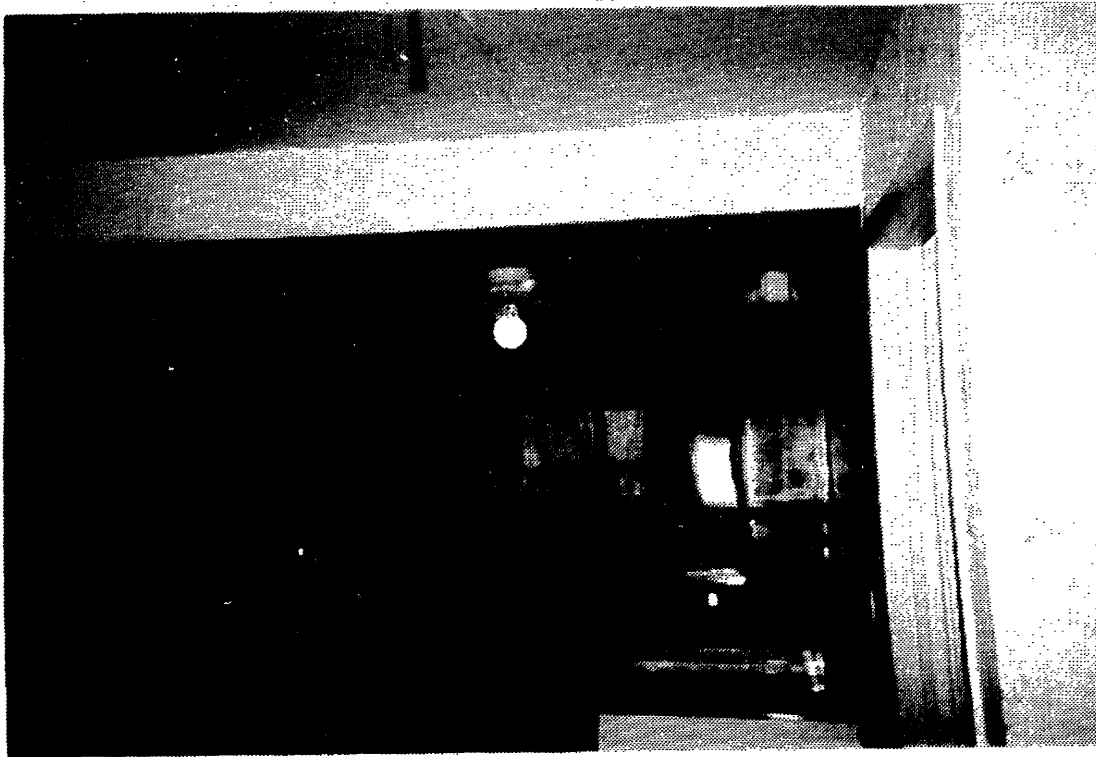
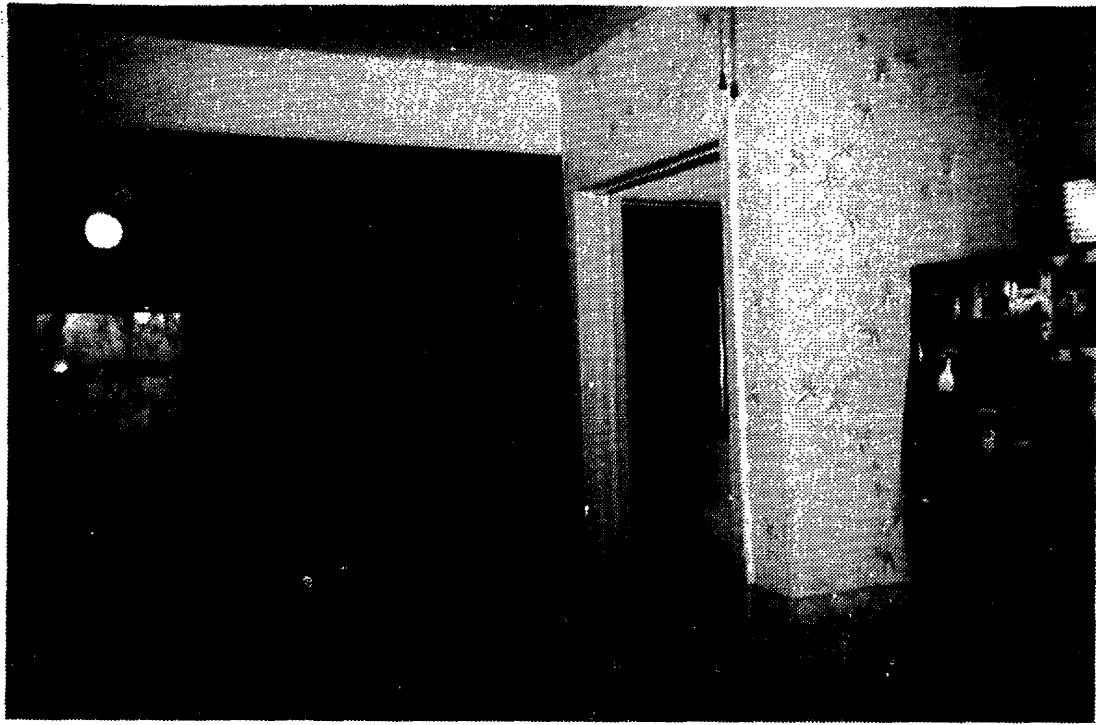


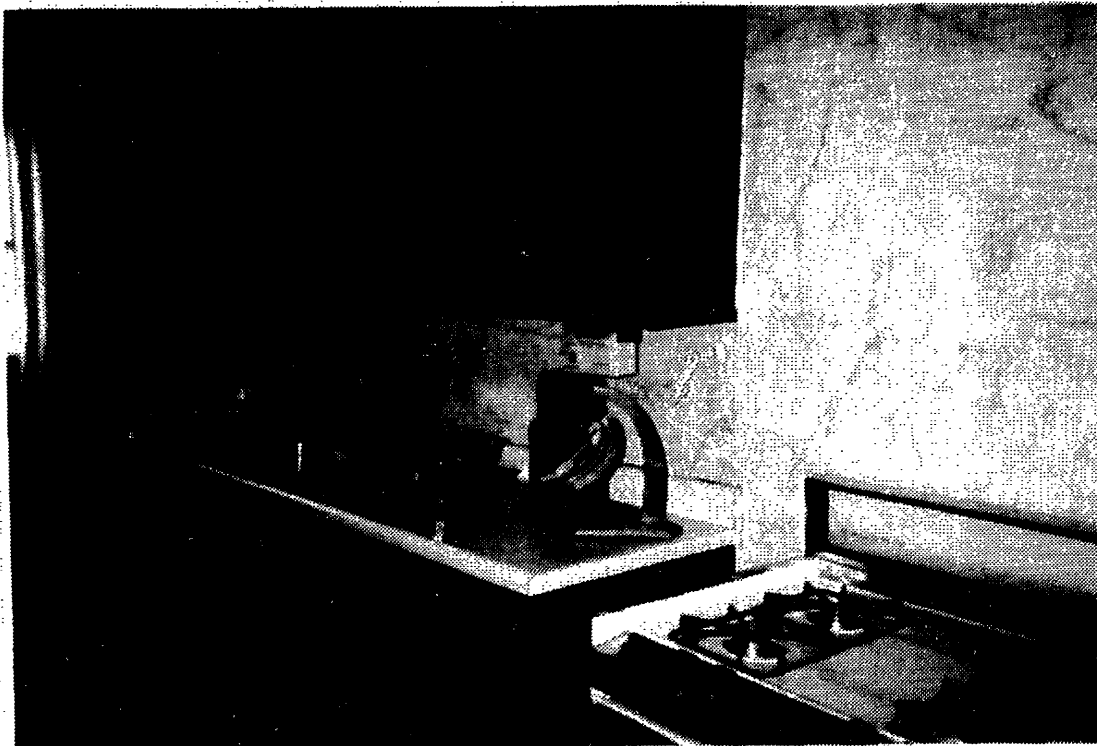












In the Matter of the Application of

**JOSEPH & CELESTE CACCIOLA**

MEMORANDUM OF  
DECISION GRANTING

**INTERPRETATION**

CASE #02-53

**WHEREAS, Joseph & Celeste Cacciola**, owners of 352 Shelly Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Interpretation of an existing single-family home with converted garage to living space with two kitchens in an R-4 zone; and

**WHEREAS**, a public hearing was held on the April 14th, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a single-family residential property in a neighborhood of single-family residences.
  - (b) The existing garage on the property was converted to living space to accommodate a family member.
  - (c) The entire house is served with a single heating system and single electric.



- (d) The applicant has stated her intention that the house remain as a single-family residence.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The property is a single-family residence.
2. The presence of a sink and cabinets in the property does not make it a two-family residence and it remains a single-family residence, not containing any unit appropriate for rental.

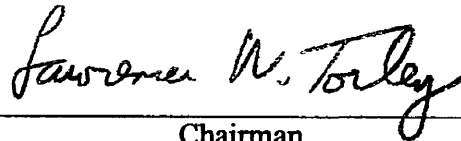
**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for an Interpretation of an existing single-family home with converted garage to living space with two kitchens in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED,** that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 2, 2003



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Chairman

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JUNE 9, 2003**  
**SUBJECT: CLOSE OUT OF ESCROW - 02-53**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 207.50 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #02-53**

**NAME: MRS. CELESTE CACCIOLA**

**ADDRESS: 352 SHELLY ROAD**

**NEW WINDSOR, NY 12553**

**THANK YOU,**

**MYRA**

*6/9/03  
L.R.*

CACCIOLA, CELESTE (#02-53)

MR. KANE: Request for interpretation of existing residence as a single-family home with converted garage to living space with a kitchen at 352 Shelly Road in an R-4 zone.

Mrs. Celeste Cacciola appeared before the board for this proposal.

MR. KANE: How you doing, Celeste? Same as in the preliminary hearing, tell us what you want to do.

MS. CACCIOLA: Just want a garage, we converted it to a kitchen, single family, I don't ever intend to be anything else but a single family, it has no separate gas, no separate electric.

MR. KANE: When did you convert the garage space into a kitchen?

MS. CACCIOLA: Fifteen, twenty years ago.

MR. KANE: Any complaints formally or informally about that?

MS. CACCIOLA: I've never had a complaint, never.

MR. KANE: Again, it's your intention to keep this as a single family and always use it that way?

MS. CACCIOLA: Never anybody in there, never, it's for the purpose of my husband who's not a well man and cannot climb stairs, he's on oxygen and he can never, it was for his convenience.

MR. MC DONALD: Something like a summer kitchen?

MS. CACCIOLA: Yeah, no intention of ever having--

MR. RIVERA: Is this a garage door that slides up and down?

MS. CACCIOLA: Well, no, we put a front door in next because with a double garage, two family garage or two

car garage and for his convenience because he cannot climb, he's on oxygen.

MR. KANE: Is there, I'll move to the public portion of this meeting, is there anybody in the audience that's here for this particular meeting? On that, I'll close the public portion and ask how many mailings did we have?

MS. MASON: On the 28th of March, we mailed out 72 addressed envelopes.

MR. MC DONALD: Any written responses at all?

MS. MASON: No.

MR. KANE: No written, we'll close that.

MR. REIS: I have no further questions.

MR. MC DONALD: No questions.

MR. REIS: Accept a motion?

MR. KANE: Yes.

MR. RIVERA: I move we grant Celeste Cacciola the requested interpretation of the existing residence as a single family home with a converted garage to living space with a kitchen at 352 Shelly Road.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF:

April 14, 2003

PROJECT: Celeste Cacciola

ZBA # 02-53  
P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
TORLEY \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
TORLEY \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
TORLEY \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_  
TORLEY \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
KANE \_\_\_\_\_  
TORLEY \_\_\_\_\_

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:

M) Riv S) Rep VOTE: A 4 N 0

RIVERA A  
MC DONALD A  
REIS A  
KANE A  
~~TORLEY~~

CARRIED: Y ✓ N \_\_\_\_\_

been there 15-20 yrs.  
No complaints

-----X

**CELESTE CACCIOLA**

# AFFIDAVIT OF SERVICE BY MAIL

**#02-53**

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )

**MYRA L. MASON, being duly sworn, deposes and says:**


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 28TH day of **MARCH, 2003**, I compared the 72 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

28<sup>th</sup> day of March, 2003

  
\_\_\_\_\_  
Notary Public

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2014



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

October 4<sup>th</sup>, 2002

Celeste Cacciola  
352 Shelly Road  
New Windsor, NY 12553

RE: 75-7-15

Dear Ms. Cacciola:

According to our records, the attached list of property owners are within five hundred (500) feet  
Of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

John McDonald  
Acting Assessor

JM/srr  
Attachments

CC: Pat Corsetti, ZBA

4-1-37.2

Laborer's Local 17 Training  
& Educational-Trust Fund  
305 B Little Britain Road  
Newburgh, NY 12550 ✓

73-2-20

Thomas & Joanne Farrell  
328 Nina Street  
New Windsor, NY 12553 ✓

75-6-2

Patrick & Linda Quinn  
332 Hemingway Drive  
New Windsor, NY 12553 ✓

4-1-60

William Jr. & Joyce Monahan  
75 Steele Road  
New Windsor, NY 12553 ✓

73-2-21

Allen & Stephanie Mittelman  
326 Nina Street  
New Windsor, NY 12553 ✓

75-6-3

Robert & Diana Delgado  
334 Hemmingway Road  
New Windsor, NY 12553 ✓

4-1-61.11

David & Julianna Recine  
& Julia Bilello  
79 Steele Road  
New Windsor, NY 12553 ✓

73-4-8

Donald & Diana Mc Keon  
339 Nina Street  
New Windsor, NY 12553 ✓

75-6-4

Warren & Jean Stumpf  
336 Hemmingway Road  
New Windsor, NY 12553 ✓

73-2-13

Jeanne Stiller  
342 Nina Street  
New Windsor, NY 12553 ✓

73-4-9

Ursula Roberts  
337 Nina Street  
New Windsor, NY 12553 ✓

75-6-5

Ioannis Skoulidakis  
318 Burroughs Lane  
New Windsor, NY 12553 ✓

73-2-14

Melvyn & Cynthia Wright  
340 Nina Street  
New Windsor, NY 12553 ✓

73-4-10

Samuel Martinez Jr.  
335 Nina Street  
New Windsor, NY 12553 ✓

75-6-6

Michael & Eleni Toromanides  
322 Burroughs Lane  
New Windsor, NY 12553 ✓

73-2-15

William Kostenblatt  
338 Nina Street  
New Windsor, NY 12553 ✓

73-4-11

Joseph Hafner & Hyon Lemons  
333 Nina Street  
New Windsor, NY 12553 ✓

75-6-7

Herman & Brenda Belton  
347 Shelly Road  
New Windsor, NY 12553 ✓

73-2-16

Brendan De Milt  
336 Nina Street  
New Windsor, NY 12553 ✓

73-4-12

Daniel Peralta  
331 Nina Street  
New Windsor, NY 12553 ✓

75-6-8

Leroy & Jennifer Jackson  
345 Shelly Road  
New Windsor, NY 12553 ✓

73-2-17

Marilyn Mutinelli  
334 Nina Street  
New Windsor, NY 12553 ✓

73-4-13

Brian & Diane Picerno  
329 Nina Street  
New Windsor, NY 12553 ✓

75-6-9

Michael & Antoinette Dantonio  
343 Shelly Road  
New Windsor, NY 12553 ✓

73-2-18

Elliott & Vicki Cohen  
332 Nina Street  
New Windsor, NY 12553 ✓

75-5-1

Jerry & Judith Epstein  
305 Stephenson Lane  
New Windsor, NY 12553 ✓

75-6-10

Sandra Herr  
213 Melville Drive  
New Windsor, NY 12553 ✓

73-2-19

Franics & Geraldine Nicolosi  
330 Nina Street  
New Windsor, NY 12553 ✓

75-5-6

Leo & Kathleen Braun  
316 Burroughs Lane  
New Windsor, NY 12553 ✓

75-7-1

James & Helene Lennon  
375 Byron Lane  
New Windsor, NY 12553 ✓

30



75-7-2

Edward & Kristin Domanico  
373 Byron Lane  
New Windsor, NY 12553 ✓

75-7-12

Roland & Sheila Casto  
346 Shelly Road  
New Windsor, NY 12553 ✓

75-8-8

Edwin & Suzanne Scott  
225 Melville Drive  
New Windsor, NY 12553 ✓

75-7-3

Marc David & Barbara Berger  
371 Byron Lane  
New Windsor, NY 12553 ✓

75-7-13

Richard & Lisa Spencer  
348 Shelly Road  
New Windsor, NY 12553 ✓

75-8-9

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553 ✓

75-7-4

Hilarion Guevara  
369 Byron Lane  
New Windsor, NY 12553 ✓

75-7-14

Barbara McManus  
350 Shelly Road  
New Windsor, NY 12553 ✓

75-9-1

Joseph & Maria Ritosa  
323 Burroughs Lane  
New Windsor, NY 12553 ✓

75-7-5

Curt McGuire & Maria Salotti  
367 Byron Lane  
New Windsor, NY 12553 ✓

75-7-16

Inez Montilla  
354 Shelly Road  
New Windsor, NY 12553 ✓

75-9-2

David Barile & Stephanie Hannigan  
321 Burroughs Lane  
New Windsor, NY 12553 ✓

75-7-6

Manuel & Lourdes Delarosa  
365 Byron Lane  
New Windsor, NY 12553 ✓

75-8-1

Ronald Jr. & Andrea Brophy  
94 Keats Drive  
New Windsor, NY 12553 ✓

75-9-3

Dominic Desmond  
319 Burroughs Lane  
New Windsor, NY 12553 ✓

75-7-7

Harold & Nancy Cahill  
363 Byron Lane  
New Windsor, NY 12553 ✓

75-8-2

Michael & Eileen Kelliher  
372 Byron Lane  
New Windsor, NY 12553 ✓

75-9-4

Crystal & Hugh Glenn  
317 Burroughs Lane  
New Windsor, NY 12553 ✓

75-7-8

Paul & Sandra Leary Curtin  
221 Melville Drive  
New Windsor, NY 12553 ✓

75-8-3

Charlotte Diker  
370 Byron Lane  
New Windsor, NY 12553 ✓

75-9-5

Joan Ruffino  
315 Burroughs Lane  
New Windsor, NY 12553 ✓

75-7-9

Andre Powell &  
Carmen Maldonado-Powell  
219 Melville Drive  
New Windsor, NY 12553 ✓

75-8-4

Gustavo Rosado  
368 Byron Lane  
New Windsor, NY 12553 ✓

75-9-11

George Baltas & Michelle Vina-Baltas  
80 Keats Drive  
New Windsor, NY 12553 ✓

75-7-10

Ann Marie Hogan  
342 Shelly Road  
New Windsor, NY 12553 ✓

75-8-6

Wesley Jarvis  
364 Byron Lane  
New Windsor, NY 12553 ✓

75-9-12

Joseph & Angela Bell  
82 Keats Drive  
New Windsor, NY 12553 ✓

75-7-11

Margaret Hinspeter  
344 Shelly Drive  
New Windsor, NY 12553 ✓

75-8-7

Roger & Deborah Hawkins  
362 Byron Lane  
New Windsor, NY 12553 ✓

75-9-13

John & Colleen McManamon  
84 Keats Drive  
New Windsor, NY 12553 ✓

30

75-9-14

Michael Jr. & Jane Lauria  
86 Keats Drive  
New Windsor, NY 12553 ✓

5-10-9

Michael Sulla & Kathleen Healy  
380 Frost Lane  
New Windsor, NY 12553 ✓

75-9-15

Anthony & Beverley Marchesani  
88 Keats Drive  
New Windsor, NY 12553 ✓

75-8-5

Harry & Eleni Toromanides  
366 Byron Lane  
New Windsor, NY 12553 ✓

75-10-1

Gerald & Eva Maria Wolfe  
97 Keats Drive  
New Windsor, NY 12553 ✓

75-10-2

Warren Shaefer & Marion Knox  
95 Keats Drive  
New Windsor, NY 12553 ✓

75-10-3

Victor D'Esposito Etal  
L.E. for George Charles  
93 Keats Drive  
New Windsor, NY 12553 ✓

75-10-4

Ben & Irena Eng  
91 Keats Drive  
New Windsor, NY 12553 ✓

75-10-5

David Jr. & Debra Patterson  
89 Keats Drive  
New Windsor, NY 12553 ✓

75-10-6

Konstantinos & Margarita Ioannidis  
87 Keats Drive  
New Windsor, NY 12553 ✓

75-10-7

David & Migdalia Ramos  
85 Keats Drive  
New Windsor, NY 12553 ✓

75-10-8

Leo & Sandra Talbot  
83 Keats Drive  
New Windsor, NY 12553 ✓

72  
Mailed



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

**Appeal No. 02-53**

**Request of JOSEPH & CELESTE CACCIOLA**

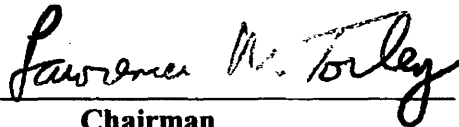
**for a INTERPRETATION of the Zoning Local Law to Permit:**

**Existing single-family home with converted garage to living space with a kitchen.**

**being an INTERPRETATION for property located at: 352 SHELLY ROAD**

**known and designated as tax map Section 75 Block 7 Lot 15**

**PUBLIC HEARING will take place on APRIL 14TH, 2003 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.**

  
Chairman



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

April 9, 2003

Mrs. Celeste Cacciola  
352 Shelly Road  
New Windsor, NY 12553

SUBJECT: PUBLIC HEARING

Dear Mrs. Cacciola:

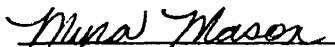
This is just a reminder that your Public Hearing before the Zoning Board of Appeals for your requested variance at:

253 Shelly Road  
New Windsor, NY

is scheduled for the April 14th, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

  
Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#299-2003**

**03/28/2003**

**Cacciola, Celeste & Joseph  
352 Shelley Road  
New Windsor, NY 12553**

**Received \$ 50.00 for Zoning Board Fees, on 03/28/2003. Thank you for  
stopping by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 03-28-2003

FOR: **02-53 ESCROW**

FROM: **CELESTE CACCIOLA**


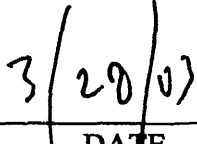
**352 SHELLY ROAD**

**NEW WINDSOR, NY 12553**

CHECK NUMBER: **965**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:

   
\_\_\_\_\_  
NAME DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

CACCIOLA, JOSEPH

Mrs. Joseph Cacciola appeared before the board for this proposal.

MR. TORLEY: Request for interpretation and/or use variance to allow converted garage to second apartment at 352 Shelly Road in an R-4 zone.

MR. KANE: You understand how difficult it is, we need you guys to prove that this has been basically in use before zoning as what is this, converted garage, has this been used as an apartment?

MRS. CACCIOLA: No, I converted the garage into a kitchen because my husband had a heart attack and again, it's a bi-level.

MR. BABCOCK: This is a little bit different, Mr. Chairman, I think.

MR. TORLEY: You had a bi-level building that you added a second kitchen to aid your husband because he couldn't go up and down stairs?

MRS. CACCIOLA: Right.

MR. TORLEY: Your wish is to make this a legal apartment and rent it out?

MR. KANE: Or you just want to--

MRS. CACCIOLA: No, I just want to have the kitchen there. I don't want to rent it, no, absolutely not.

MR. BABCOCK: Because they have two kitchens and two separate units, it could be constituted as a two-family house, so they need an interpretation from you saying it's still a single family house with two kitchens and two bathrooms.

MR. KANE: One electric and gas meter?

MRS. CACCIOLA: Yes.

MR. KANE: Any lockable doors or separate entranceways?

MRS. CACCIOLA: Yes.

MR. KANE: No way into the house from the kitchen.

MR. TORLEY: The stairway's still there?

MRS. CACCIOLA: Yes.

MR. TORLEY: Obviously, the outside doors have locks.

MR. KANE: But you don't have a lockable door inside, it's an easy access from the inside to go back and forth?

MRS. CACCIOLA: Yeah.

MR. KANE: These are the kinds of questions we're going to ask you. If you can bring some pictures that would be good.

MRS. CACCIOLA: Of what?

MR. KANE: Kitchen area.

MR. KRIEGER: Do you also want the exterior of the house so you can verify that there are no separate entrances?

MR. KANE: Yes.

MRS. CACCIOLA: Town gave me a permit to put a door in so easy access for him to come in and out without going up the stairs.

MR. KANE: That isn't a problem, just external pictures, some internal pictures.

MRS. CACCIOLA: Okay, I can do that, but I don't want it to be a two family, no.

MR. TORLEY: When we go through this to the public hearing on this, one of the things we're going to ask you to do, to say that on the record that it will be,



is now a single family and will remain a single family and that will be, you know, all these variances and interpretation going with the property so this will be binding on anybody you sell the house to.

MRS. CACCIOLA: That's what it has been, one family.

MR. TORLEY: But it's for your neighbors.

MR. KANE: Any complaints formally or informally about this?

MRS. CACCIOLA: No.

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MR. KANE: Move we set up Joseph Cacciola for a public hearing on their requested interpretation for 352 Shelly Road.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

CELESTE D'ESPOSITO n/k/a CELESTE CACCIOLA

TO

JOSEPH A. CACCIOLA and CELESTE CACCIOLA

SECTION 75 BLOCK 7

RECEIVED  
NOV 08 1996

RECORD AND RETURN TO:

(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

Stephen P. Duggan, III, Esq.  
DUGGAN, CROTTY & DUNN, P.C.  
563 Temple Hill Road  
New Windsor, New York 12553

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

<input type="checkbox"/> 2089 BLOOMING GROVE (TN)	<input type="checkbox"/> 4289 MONTGOMERY (TN)
<input type="checkbox"/> 2001 WASHINGTONVILLE (VLG)	<input type="checkbox"/> 4201 MAYBROOK (VLG)
<input type="checkbox"/> 2289 CHESTER (TN)	<input type="checkbox"/> 4203 MONTGOMERY (VLG)
<input type="checkbox"/> 2201 CHESTER (VLG)	<input type="checkbox"/> 4205 WALDEN (VLG)
<input type="checkbox"/> 2489 CORNWALL (TN)	<input type="checkbox"/> 4489 MOUNT HOPE (TN)
<input type="checkbox"/> 2401 CORNWALL (VLG)	<input type="checkbox"/> 4401 OTISVILLE (VLG)
<input type="checkbox"/> 2600 CRAWFORD (TN)	<input type="checkbox"/> 4600 NEWBURGH (TN)
<input type="checkbox"/> 2800 DEER PARK (TN)	<input checked="" type="checkbox"/> 4800 NEW WINDSOR (TN)
<input type="checkbox"/> 3089 GOSHEN (TN)	<input type="checkbox"/> 5089 TUXEDO (TN)
<input type="checkbox"/> 3001 GOSHEN (VLG)	<input type="checkbox"/> 5001 TUXEDO PARK (VLG)
<input type="checkbox"/> 3003 FLORIDA (VLG)	<input type="checkbox"/> 5200 WALLKILL (TN)
<input type="checkbox"/> 3005 CHESTER (VLG)	<input type="checkbox"/> 5489 WARWICK (TN)
<input type="checkbox"/> 3200 GREENVILLE (TN)	<input type="checkbox"/> 5401 FLORIDA (VLG)
<input type="checkbox"/> 3489 HAMPTONBURGH (TN)	<input type="checkbox"/> 5403 GREENWOOD LAKE (VLG)
<input type="checkbox"/> 3401 MAYBROOK (VLG)	<input type="checkbox"/> 5405 WARWICK (VLG)
<input type="checkbox"/> 3689 HIGHLANDS (TN)	<input type="checkbox"/> 5600 WAWAYANDA (TN)
<input type="checkbox"/> 3601 HIGHLAND FALLS (VLG)	<input type="checkbox"/> 5889 WOODBURY (TN)
<input type="checkbox"/> 3889 MINISINK (TN)	<input type="checkbox"/> 5801 HARRIMAN (VLG)
<input type="checkbox"/> 3801 UNIONVILLE (VLG)	
<input type="checkbox"/> 4089 MONROE (TN)	
<input type="checkbox"/> 4001 MONROE (VLG)	
<input type="checkbox"/> 4003 HARRIMAN (VLG)	
<input type="checkbox"/> 4005 KIRYAS JOEL (VLG)	

CITIES

☐ 0900 MIDDLETOWN  
☐ 1100 NEWBURGH  
☐ 1300 PORT JERVIS

☐ 9999 HOLD

NO. PAGES 4 CROSS REF ☐  
CERT. COPY ☐ AFFT. FILED ☐

PAYMENT TYPE: CHECK ☒  
CASH ☐  
CHARGE ☐  
NO FEE ☐

CONSIDERATION \$ ☐  
TAX EXEMPT ☐

MORTGAGE AMT \$ ☐  
DATE ☐

MORTGAGE TYPE:

☐ (A) COMMERCIAL  
☐ (B) 1 OR 2 FAMILY  
☐ (C) UNDER \$10,000.  
☐ (E) EXEMPT  
☐ (F) 3 TO 6 UNITS  
☐ (I) NAT.PERSON/CR.UNION  
☐ (J) NAT.PER-CR.UN/I OR 2  
☐ (K) CONDO

*Joan A Macchi*

JOAN A. MACCHI  
Orange County Clerk

RECEIVED FROM: Duggan, Crotty & Dunn

11612 446976 218

PL

LINER 4469 PAGE 218

ORANGE COUNTY CLERKS OFFICE 49817 KMS  
RECORDED/FILED 10/17/96 02:47:02 PM

FEES 47.00 EDUCATION FUND 5.00

SERIAL NUMBER: 602940

DEED ENCL NO 61399 RE TAX .00

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

**THIS INDENTURE**, made the 4<sup>th</sup> day of October, nineteen hundred and ninety-six  
**BETWEEN** CELESTE D'ESPOSITO n/k/a CELESTE CACCIOLA, residing at 352 Shelly Road, New Windsor, New York, 12553,

party of the first part, and JOSEPH A. CACCIOLA and CELESTE CACCIOLA, Husband and Wife,  
 both residing at 352 Shelly Road, New Windsor, New York, 12553,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN AND 00/100-----

-----(\$10.00)-----dollars,

lawful money of the United States, paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, more particularly described on Schedule "A" attached hereto and made a part hereof.

BEING the same premises conveyed to Celeste D'Esposito by Ronald D'Esposito and Celeste D'Esposito by deed dated September 17th, 1986 and recorded in the Orange County Clerk's Office in Liber 2581 of deeds at page 349 on September 25th, 1986.

GRANTEE agrees to assume and pay the outstanding debt secured by a mortgage upon said premises in the original amount of \$37,712.00 and dated December 1, 1977, upon which there is presently the unpaid principal amount of \$23,664.12, held by Chase Manhattan Mortgage Corporation.

NO CONSIDERATION PAID - NO TRANSFER TAX REQUIRED

LIBR 44696 219

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, known and designated as Block J, Lot 15 on a certain map entitled, "Windsor Country Club Estates", first dated 12/23/71, last dated 1/16/74 made by Atzl, Scatassa and Busch, engineers, Nanuet, New York, filed in the Orange County Clerk's Office 4/1/74 as Pocket 15, Folder A, Map #3169 (sheets 1 & 2).

SUBJECT to covenants, restrictions and easements of record, if any.

SUBJECT to a mortgage to the Heritage Savings Bank in the amount of \$38,000.00.

BEING the same premises conveyed by Inbro Homes, Inc. to Ronald D'Esposito and Celeste D'Esposito by Deed dated November 19, 1976 and recorded in the Orange County Clerk's Office on November 23, 1976 in Liber 2052 of Deeds at page 1121.

## SCHEDULE A

**TOGETHER** with all           , title and interest, if any, of the party of            first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Celeste D'Esposito (L.S.)

CELESTE D'ESPOSITO

Celeste Cacciola (L.S.)


n/k/a CELESTE CACCIOLA

LIBER 44696 221



STATE OF NEW YORK, COUNTY OF ORANGE ss:  
On the 4<sup>th</sup> day of October 19 96, before me  
personally came CELESTE D'ESPOSITO  
n/k/a CELESTE CACCIOLA

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged that  
she executed the same.

  
Notary Public

STEPHEN P. DUGGAN, III  
NOTARY PUBLIC, State of New York  
Qualified in Orange County  
Reg. No. 02DU1038120  
Commission Expires June 30, 1997

STATE OF NEW YORK, COUNTY OF ss:  
On the day of 19, before me  
personally came  
to me known, who, being by me duly sworn, did depose and  
say that he resides at No. ;  
that he is the  
of

, the corporation described  
in and which executed the foregoing instrument; that he  
knows the seal of said corporation; that the seal affixed  
to said instrument is such corporate seal; that it was so  
affixed by order of the board of directors of said corpora-  
tion, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:  
On the day of 19, before me  
personally came

to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged that  
executed the same.

STATE OF NEW YORK, COUNTY OF ss:  
On the day of 19, before me  
personally came  
the subscribing witness to the foregoing instrument, with  
whom I am personally acquainted, who, being by me duly  
sworn, did depose and say that he resides at No. ;  
that he knows

to be the individual  
described in and who executed the foregoing instrument;  
that he, said subscribing witness, was present and saw  
execute the same; and that he, said witness,  
at the same time subscribed his name as witness thereto.

NO CONSIDERATION PAID  
NO TRANSFER TAX REQUIRED

**Bargain and Sale Deed**  
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

CELESTE D'ESPOSITO n/k/a CELESTE  
CACCIOLA

SECTION 75  
BLOCK 7  
LOT 15  
COUNTY OR TOWN New Windsor

TO

JOSEPH A. CACCIOLA and CELESTE CACCIOLA

RETURN BY MAIL TO:

STEPHEN P. DUGGAN, III, ESQ.  
DUGGAN, CROTTY & DUNN, P.C.  
563 Temple Hill Road  
New Windsor, New York 12553  
Zip No.

Preserve this space for use of Recording Office.

LIBR 446976 222

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 02-53  
Date: \_\_\_\_\_

I. ✓ Applicant Information:

- (a) Celeste Cacciola & Joseph A. Cacciola  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect/surveyor)

II. Application type:

- ☒ Use Variance  
☒ Area Variance

- ☐ Sign Variance  
☒ Interpretation

III. ✓ Property Information:

- (a) 352 Shelly Road 75-7-15  
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
- (b) What other zones lie within 500 feet? \_\_\_\_\_
- (c) Is pending sale or lease subject to ZBA approval of this Application? \_\_\_\_\_
- (d) When was property purchased by present owner? yes.
- (e) Has property been subdivided previously? no.
- (f) Has property been subject of variance previously? \_\_\_\_\_. If so, when? \_\_\_\_\_.
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? no.
- (h) Is there any outside storage at the property now or is any proposed? no.

✓ IV. Use Variance. ~~##~~

- (a) Use Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(Describe proposal) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) The legal standard for a "Use" Variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area Variance: N/A.

(a) Area variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

Permitted	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ratio**		
Parking Area		

\* Residential Districts only

\*\* Non-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:

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VI. Sign Variance: N/A

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign (s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and free-standing signs? \_\_\_\_\_.

✓ VII. Interpretation.

- (a) Interpretation requested of New Windsor Zoning Local Law, Section 75-7-15.

- (b) Describe in detail the proposal before the Board:

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✓ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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**IX. Attachments required:**

- ☐ Copy of referral from Bldg./Zoning Inspector or Planning Board.
- ☐ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copy(ies) of sign(s) with dimensions and location.
- ☐ Two (2) checks, one in the amount of \$ \_\_\_\_\_ and the second check in the amount of \$ \_\_\_\_\_, each payable to the TOWN OF NEW WINDSOR.
- ☐ Photographs of existing premises from several angles.

**X. Affidavit.**

Date: March 24, 2003

**STATE OF NEW YORK)**  
**) SS.:**  
**COUNTY OF ORANGE )**

**The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.**

Celeste Caccola  
(Applicant)

**Sworn to before me this**

24<sup>th</sup> day of March, 2003

*Cheryl L. Canfield*  
**CHERYL L. CANFIELD**  
 Notary Public, State of New York  
 Qualified in Orange County  
 #01CA6073319  
 Commission Expires April 22, 2006

## XI. ZBA Action:

(a) Public Hearing date: April 14, 2003